

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**David Richard Diller Jr.**  
Debtor(s)

Bankruptcy Case No.: 19-21358-CMB

Chapter: 13  
Docket No.: 67 – 66  
Concil. Conf.: January 21, 2021 at 10:00 AM

**ORDER**

**WHEREAS**, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

**IT IS HEREBY ORDERED** that, on or before **November 27, 2020**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

**OR**

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

**IT IS FURTHER ORDERED** that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **December 14, 2020**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **January 21, 2021 at 10:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at remotely by the Trustee via Zoom, how to participate: goto [www.ch13pitt.com](http://www.ch13pitt.com), [meetings@chapter13trusteedpa.com](mailto:meetings@chapter13trusteedpa.com).

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: October 13, 2020

cm: All Creditors and Parties In Interest

Carlota M. Bohm  
United States Bankruptcy Judge

**INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT**

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee  
P.O. Box 84051  
Chicago, IL 60689-4002

In re:  
David Richard Diller, Jr.  
Debtor(s)

Case No. 19-21358-CMB  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Oct 13, 2020

User: gamr  
Form ID: 410

Page 1 of 3  
Total Noticed: 34

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 15, 2020:

Recip ID	Recipient Name and Address
db	+ David Richard Diller, Jr., 575 Sarver Rd, Sarver, PA 16055-9222
cr	+ Peoples Gas Company LLC, f/k/a Peoples TWP LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15042700	+ ATI Benefits Center, 12421 Meredith Drive, Urbandale, IA 50398-9001
15042699	+ Armstrong Cable Services, 437 N. Main St., Butler, PA 16001-4358
15042701	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank of America, P.O. Box 982235, El Paso, TX 79998-2235
15042702	BHS Dermatology, P.O. Box 1549, Suite 701, Butler, PA 16003-1549
15042703	+ Butler County Tax Claim Bureau, P.O. Box 1208, Butler, PA 16003-1208
15042704	Butler Medical Providers, PO Box 1549, Butler, PA 16003-1549
15035426	++ DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577 address filed with court:, Dell Financial Services, LLC, Resurgent Capital Services, PO Box 10390, Greenville, SC 29603-0390
15042713	++ DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222 address filed with court:, Macy's Visa, P.O. Box 8218, Mason, OH 45040-8218
15042709	+ Freeport EMS, P.O. Box 158, Freeport, PA 16229-0158
15042714	Mirand Response Systems, Inc., P.O. Box 219050, Houston, TX 77218-9050
15042715	+ National Enterprise Systems, 2479 Edison Blvd., Unit A, Twinsburg, OH 44087-2476
15239805	+ PNC BANK N.A., PO BOX 94982, CLEVELAND, OH 44101-4982
15042718	+ PNC Bank, P.O. Box 747032, Pittsburgh, PA 15274-7032
15042717	PNC Bank, P.O. Box 5570, Cleveland, OH 44101-0570
15042719	+ PNC Bank NA, PO Box 94982, Cleveland, OH 44101-4982
15026153	+ Peoples Gas Bankruptcy Dept., Attn. Dawn Linder, 375 North Shore Drive, Suite 600, Pittsburgh, PA 15212-5866
15040682	+ Peoples Gas Company LLC, f/k/a Peoples TWP LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
15042720	Sears Charge Plus, P.O. Box 183081, Columbus, OH 43218-3081
15042723	Wells Fargo Auto Finance, PO Box 19657, Irvine, CA 92623-9657
15051967	+ Wells Fargo Bank N.A., d/b/a Wells Fargo Auto, PO Box 130000, Raleigh NC 27605-1000

TOTAL: 22

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
15042705	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 14 2020 03:24:29	Capital One Bank, P.O. Box 5155, Norcross, GA 30091
15042707	Email/PDF: DellBKNotifications@resurgent.com	Oct 14 2020 03:26:07	Dell Preferred Account, Payment Processing Center, P.O. Box 6403, Carol Stream, IL 60197-6403
15042708	Email/Text: mrdiscen@discover.com	Oct 14 2020 03:13:00	Discover, P.O. Box 15251, Wilmington, DE 19886-5251
15042710	Email/Text: sbse.cio.bnc.mail@irs.gov	Oct 14 2020 03:13:00	Internal Revenue Service, Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346
15042712	Email/PDF: gecsed@recoverycorp.com	Oct 14 2020 03:27:38	JC Penney/SYNCHB, P.O. Box 965007, Orlando, FL 32896-5007
15042706	Email/PDF: ais.chase.ebn@americaninfosource.com	Oct 14 2020 03:25:01	Chase, P.O. Box 15298, Wilmington, DE

District/off: 0315-2

User: gamr

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15068174	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	19850-5298
	Oct 14 2020 03:24:30	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15042721	+ Email/Text: EBankruptcy@UCFS.NET	
	Oct 14 2020 03:15:00	United Consumer Financial Services, 865 Bassett Road, Westlake, OH 44145-1194
15042722	Email/Text: bnc@alltran.com	
	Oct 14 2020 03:13:00	United Recovery Services, Inc., P.O. Box 722929, Houston, TX 77272-2929
15042724	Email/Text: bankruptcy@firstenergycorp.com	
	Oct 14 2020 03:14:00	West Penn Power, P. O. Box 3687, Akron, OH 44309-3687
15052159	+ Email/Text: bankruptcy@firstenergycorp.com	
	Oct 14 2020 03:14:00	West Penn Power, 5001 NASA Blvd, Fairmont WV 26554-8248
15042725	Email/Text: ebankruptcy@woodforest.com	
	Oct 14 2020 03:14:00	Woodforest National Bank, P.O. Box 7889, Spring, TX 77387-7889

TOTAL: 12

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PNC BANK NATIONAL ASSOCIATION
cr	*+	PNC Bank, N.A., P.O. Box 94982, Cleveland, OH 44101-4982
15042711	*+	Internal Revenue Service, Insolvency Operation, Room 711B, 1000 Liberty Ave, Pittsburgh, PA 15222-4107
15042716	*+	Peoples Gas Bankruptcy Dept., Attn. Dawn Linder, 375 North Shore Drive, Suite 600, Pittsburgh, PA 15212-5866

TOTAL: 1 Undeliverable, 3 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 15, 2020

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 13, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmlawgroup.com
Dai Rosenblum	on behalf of Debtor David Richard Diller Jr. Jody@dairosenblumbankruptcy.com, Dai@dairosenblumbankruptcy.com;Michael@dairosenblumbankruptcy.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	

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on behalf of Creditor Peoples Gas Company LLC f/k/a Peoples TWP LLC sjw@sjwpgh.com,  
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

Sheetal Ramesh Shah-Jani

on behalf of Creditor PNC Bank N.A. sshahjani@rascrane.com

TOTAL: 6